

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: : Chapter 11
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96 WYTHE ACQUISITION LLC, : Case No. 21-22108 (SHL)
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Debtor. :
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**ORDER AUTHORIZING THE EMPLOYMENT
AND RETENTION OF COWAN, LIEBOWITZ & LATMAN,
P.C. AS SPECIAL INTELLECTUAL PROPERTY COUNSEL FOR
THE CHAPTER 11 TRUSTEE, *NUNC PRO TUNC* TO AUGUST 10, 2022**

Upon the application (the “Application”)¹ of Stephen S. Gray, not individually but solely in his capacity as Chapter 11 Trustee (the “Trustee”) in the above-captioned chapter 11 case (the “Chapter 11 Case”), by his attorneys, Togut, Segal & Segal LLP, for entry of an order (this “Order”) pursuant to sections 327, 328, 330, and 331 of title 11 of the United States Code (the “Bankruptcy Code”), Rules 2014 and 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rules 2014-1 and 2016-1 of the Local Bankruptcy Rules for the Southern District of New York (the “Local Rules”), authorizing the Trustee to retain and employ Cowan, Liebowitz & Latman, P.C. (“Cowan”) as his special intellectual property counsel in this Chapter 11 Case *nunc pro tunc* to August 10, 2022; and the Court having reviewed the Application and the Schmidt Declaration; and the Court having found that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) notice of the Application was sufficient under the circumstances, (iii) Cowan does not hold or represent any interest materially adverse to the Trustee or the Debtor’s estates and is a “disinterested

¹ Capitalized terms not otherwise defined herein shall have the meanings given to them in the Application.

person,” as defined in section 101(14) of the Bankruptcy Code, (iv) the Application and all related papers comply with the Bankruptcy Code, Bankruptcy Rules and the Local Bankruptcy Rules, and (v) the Court having determined that the legal and factual basis set forth in the Application and the Schmidt Declaration establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Application is **GRANTED**, to the extent set forth herein.
2. The Trustee is authorized to retain and employ Cowan as his special intellectual property counsel, *nunc pro tunc* to August 10, 2022, in this Chapter 11 Case pursuant to sections 327(a) and 328(a) of the Bankruptcy Code, Bankruptcy Rule 2014(a) and Local Rule 2014-1 on the terms and conditions set forth in the Application and the Schmidt Declaration.
3. Cowan shall be compensated in the manner described in the Application or Engagement Letter.
4. Any of Cowan’s requests for compensation and reimbursement of expenses shall be made pursuant to sections 328, 330, or 331 of the Bankruptcy Code and any applicable orders of this Court.
5. The Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order and in accordance with the Application.
6. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: White Plains, New York
September 19, 2022

/s/ Sean H. Lane
United States Bankruptcy Judge